

**UNPUBLISHED**

**UNITED STATES COURT OF APPEALS**

**FOR THE FOURTH CIRCUIT**

UNITED STATES OF AMERICA,  
Plaintiff-Appellee.

v.

No. 99-4263

GREGORY GLENN,  
Defendant-Appellant.

Appeal from the United States District Court  
for the District of South Carolina, at Greenville.  
G. Ross Anderson, Jr., District Judge.  
(CR-96-780, CA-97-4028-6-13)

Submitted: August 31, 1999

Decided: September 20, 1999

Before WILKINS, WILLIAMS, and MICHAEL, Circuit Judges.

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Affirmed by unpublished per curiam opinion.

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**COUNSEL**

William G. Yarborough, III, ASHMORE & YARBOROUGH, P.A.,  
Greenville, South Carolina, for Appellant. E. Jean Howard, OFFICE  
OF THE UNITED STATES ATTORNEY, Greenville, South Caro-  
lina, for Appellee.

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Unpublished opinions are not binding precedent in this circuit. See  
Local Rule 36(c).

## OPINION

### PER CURIAM:

Gregory Glenn appeals his conviction and sentence entered on his guilty plea to his role in a conspiracy to possess with intent to distribute crack cocaine in violation of 21 U.S.C. § 841(a)(1) (1994). Following the district court's reentry of judgment, Glenn noted a timely appeal and his attorney filed a brief pursuant to Anders v. California, 386 U.S. 738, 744 (1967), in which he represents that there are no arguable issues of merit in this appeal. Nonetheless, in his brief, counsel addressed the possibility that the district court failed to comply with Fed. R. Crim. P. 11 in accepting Glenn's plea and committed plain error in imposing a sentence. The time for filing a supplemental brief has passed and Glenn has not responded, despite being advised of his right to do so. Finding no merit to counsel's claims of error, and discovering no other error in our review of the record, we affirm the conviction and sentence.

After a thorough review of the transcript of the Rule 11 hearing in this case, we find that there was no error that adversely affected Glenn's substantial rights. Accordingly, we have no cause to disturb the district court's acceptance of Glenn's guilty plea. See Fed. R. Crim. P. 11(h). Counsel also suggests that the district court erred in imposing sentence. As a result of Glenn's failure to preserve this issue in the district court, this court's review is restricted to a search for plain error. See United States v. Olano, 507 U.S. 725, 731-32 (1993). Our review of the district court's sentence imposed after the adoption of the presentence report reveals no error of this magnitude. Glenn's claims are without merit.

As required by Anders, we have independently reviewed the entire record and all pertinent documents. We have considered all possible issues presented by this record and conclude that there are no non-frivolous grounds for this appeal. Pursuant to the plan adopted by the Fourth Circuit Judicial Council in implementation of the Criminal Justice Act of 1964, 18 U.S.C. § 3006A (1994), this court requires that counsel inform his client, in writing, of his right to petition the Supreme Court for further review. If requested by the client to do so, counsel should prepare a timely petition for writ of certiorari, unless

counsel believes that such a petition would be frivolous. In that case, counsel may move in this court for leave to withdraw from representation. Counsel's motion must state that a copy thereof was served on the client.

Glenn's conviction and sentence are affirmed. We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

AFFIRMED